

02-0-0685

(Do Not Write Above This Line)

AN ORDINANCE BY 
COUNCILMEMBER DERRICK BOAZMAN

AN ORDINANCE TO ABANDON ADAMS STREET FROM ST. JOHNS AVENUE TO CLIMAX PLACE LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY, GEORGIA; TO ABANDON CLIMAX PLACE FROM METROPOLITAN PARKWAY TO INTERSTATE 75/85 (LAKEWOOD FREEWAY) LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY, GEORGIA; TO ABANDON SPRING PLACE AND LEOLA STREET FROM METROPOLITAN PARKWAY TOWARD SCOTT STREET LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY GEORGIA AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 4/11/02

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee	Committee
Date	Date
Chair	Chair
Action:	Action:
Fav, Adv, Hold (see rev. side)	Fav, Adv, Hold (see rev. side)
Other:	Other:
Members	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action:	Action:
Fav, Adv, Hold (see rev. side)	Fav, Adv, Hold (see rev. side)
Other:	Other:
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

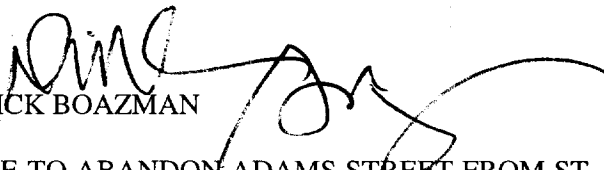
- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

AN ORDINANCE BY

COUNCILMEMBER DERRICK BOAZMAN



02-0 -0685

AN ORDINANCE TO ABANDON ADAMS STREET FROM ST. JOHNS AVENUE TO CLIMAX PLACE LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY, GEORGIA; TO ABANDON CLIMAX PLACE FROM METROPOLITAN PARKWAY TO INTERSTATE 75/85 (LAKEWOOD FREEWAY) LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY, GEORGIA; TO ABANDON SPRING PLACE AND LEOLA STREET FROM METROPOLITAN PARKWAY TOWARD SCOTT STREET LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY GEORGIA' AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a proposal to redevelop a tract of land containing a mobile home park known as Atlanta Trailer City which proposal requires abandonment of Adams Street from St. Johns Avenue to Climax Place; Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway); and Spring Place and Leola Street from Metropolitan Parkway toward Scott Street; and

WHEREAS, Climax Place is not an open street, and rights-of-way for Spring Place and Leola Street were deeded to the City of Atlanta, but said streets were never actually constructed and thus do not exist; and

WHEREAS, said streets are located in a blighted area of the City that would benefit from investment and redevelopment; and

WHEREAS, the redevelopment plan cannot be implemented without abandonment of said streets; and

WHEREAS, the abandoned rights-of-way shall become part of the abutting owner's private property and its personal responsibility to maintain.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: An abutting property owner has petitioned for a street abandonment of Adams Street from St. Johns Avenue to Climax Place; for a street abandonment of Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway); and for a street abandonment of Spring Place and Leola Street from Metropolitan Parkway toward Scott Street. The fee and appraisal specified by Section 138-9(a)(5) of the Code of Ordinances is hereby waived, said waiver being justified by the current condition of

said streets, by the need for investment and redevelopment in this area of the City, and to further the interests of health, safety and the general welfare of the City and its citizens.

SECTION 2: For purposes of the abandonment of the aforementioned streets, the procedures of Section 138-9(a)(6) of the Code of Ordinances shall be waived, said waiver being justified by the current condition of said streets, by the need for investment and redevelopment in this area of the City, to combat blight, and to further the interests of health, safety and the general welfare of the City and its citizens.

SECTION 3: That the petitioner for the street abandonment has met all other requirements of Section 138-9 of the Code of Ordinances of the City of Atlanta.

SECTION 4: That the requirements of Section 2-1574 of the Code of Ordinances are hereby waived, said waiver being justified by the current condition of said streets, by the need for investment and redevelopment in this area of the City, to combat blight, and to further the interests of health, safety and the general welfare of the City and its citizens.

SECTION 5: That Adams Street from St. Johns Avenue to Climax Place; Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway); and Spring Place and Leola Street from Metropolitan Parkway toward Scott Street, all lying and being in Land Lot 90 of District 14, Fulton County, Georgia as shown on attached Exhibit "A", are hereby declared no longer useful to necessary for public use and convenience.

SECTION 6: That the City of Atlanta hereby abandons the aforementioned streets.

SECTION 7: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated at which time, said easements shall expire.

SECTION 8: That the Mayor is hereby authorized to execute a quitclaim deed for said streets at such time as an application is filed for a building permit to allow redevelopment of the property surrounding said streets.

SECTION 9: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

POWELL
GOLDSTEIN
FRAZER &
MURPHY LLP
ATTORNEYS AT LAW

ATLANTA GENEVA WASHINGTON

direct dial 404-572-4503

cwestmor@pgfm.com

March 18, 2002

VIA HAND DELIVERY

Mr. Norman Koplon, Director
Department of Public Works
55 Trinity Avenue, Suite 4700
Atlanta, Georgia 30335

Re: Request for Road Abandonment in Connection with Redevelopment of
Atlanta Trailer City, Rezoning Application No. U-02-04.

Dear Norman:

As we discussed last week, my client, the Norsouth Corporation whose address is 6445 Paces Ferry Road, Atlanta, Georgia 30339, have approximately 18.88 acres of land located off of Metropolitan Parkway under contract to purchase. Norsouth seeks to develop townhouse and apartment homes on the Property and they have submitted pending applications to rezone portions of the Property for that purpose. The Property surrounds platted but unimproved portions of Leola Street and Spring Place as well as Climax Place (largely unimproved) and Adams Street. Norsouth hereby requests that the City of Atlanta abandon any and all right, title and interest that the City has in the portions of these streets indicated on the attached survey and more particularly described by the enclosed legal descriptions thereon. These streets are not used by the public, no substantial public purpose is served by them, and they are no longer useful or necessary for public road purposes.

The appraisal fee has been preliminarily waived as indicated in the attached ordinance. The Property is currently owned by Bertrand E. Parks and Mr. Parks has approved and supports this abandonment request.

Please let me know if I can provide you with further information to assist in the abandonment process.

Yours truly,



Carl E. Westmoreland, Jr.,

Enclosure

::ODMA\PCDOCS\ATL\562372\1

cc: Hon. Derrick Boazman ✓
Mr. Garnett Brown
Mr. David Dixon

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW